IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

IN RE TRICOR DIRECT PURCHASER ANTITRUST LITIGATION	C.A. No. 05-340 (KAJ) (consolidated)
THIS DOCUMENT RELATES TO: ALL ACTIONS	
IN RE TRICOR INDIRECT PURCHASER ANTITRUST LITIGATION	C.A. No. 05-360 (KAJ) (consolidated)
THIS DOCUMENT RELATES TO: ALL ACTIONS	

Direct and Indirect Purchaser Plaintiffs' Federal Rule of Civil Procedure 30(b)(6) Amended Notice of Video-Tape Deposition of Impax Laboratories

PLEASE TAKE NOTICE that, pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, Plaintiffs will take the deposition by oral examination of Impax Laboratories on October 13, 2006, at Rosenthal, Monhait & Goddess, P.A. 919 Market Street, Suite 1401, Wilmington, DE 19801, or such other location agreed to by counsel. The deposition will be recorded by videotape as well as stenographically before a Notary Public or other officer authorized to administer oaths, and shall continue from day to day until completed, with such adjournments as to time and place as may be necessary.

NOTICE IS HEREBY GIVEN that, pursuant to Fed. R. Civ. P. 30(b)(6), Impax Laboratories, is required to designate one or more officers, directors or managing agents, or other persons who consent to testify on their behalf and to give testimony on the topics set forth in

Exhibit A hereto, and the person so designated shall be required to testify as to the matters known or reasonably available to the corporation with respect to each topic. You are invited to attend and cross examine.

Dated: September 25, 2006

Respectfully submitted,

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DEFINITIONS

1. The term "Impax" means Impax Laboratories Inc., including all of its parents, subsidiaries, affiliates, divisions, predecessors, successors, and assigns, as well as all officers, directors, employees, agents, consultants, attorneys and all other persons acting or purporting to act on behalf of, or under the control of, Impax Laboratories Inc.

2. The term "Abbott" means Abbott Laboratories including all of its parents, subsidiaries, affiliates, divisions, predecessors, successors, and assigns, as well as all officers, directors, employees, agents, consultants, attorneys and all other persons acting or purporting to act on behalf of, or under the control of Abbott Laboratories.

3. The term "Fournier" means Fournier Industrie et Sante, and/or Laboratoires Fournier S.A., including all of its parents, subsidiaries, affiliates, divisions, predecessors, successors, and assigns, as well as all officers, directors, employees, agents, consultants, attorneys and all other persons acting or purporting to act on behalf of, or under the control of, Fournier Industrie et Sante, and/or Laboratoires Fournier S.A.

4. The term "Impax ANDA's" means Abbreviated New Drug Application Nos. 75-868 and 76-509.

5. The term "TriCor" means any pharmaceutical product marketed under the trade name "TriCor®," at any time.

6. The term "Generic TriCor" means any prescription drug preparation containing fenofibrate as its sole active ingredient identified, developed, validated and/or approved for marketing in the United States by or on behalf Impax under ANDA Nos. 75-868 or 76-509, regardless of projected or actual tradename.

7. "Formulary" means the comprehensive list(s) of brand name and generic drugs covered under a prescription benefit or other health, welfare or medical plans.

8. "Managed Care Organization" or "MCO" means a type of entity or organization providing managed health care (including prescription benefit services) such as a health maintenance organization (HMO), health care service contractor (HCSC), preferred provider organization (PPO) or similar entity.

9. The term "document" is defined to be synonymous in meaning and equal in scope to the usage of this term in Federal Rule of Civil Procedure 34(a). A draft or non-identical copy is a separate document within the meaning of this term.

EXHIBIT A

Impax Laboratories is requested to designate one or more officers, directors or managing agents, or other persons who consent to testify on its behalf who have knowledge of the matters set forth herein.

TOPICS

1. Impax's identification, development, and regulatory approval of its Generic TriCor.
2. Impax's projected scale up, validation, and manufacturing of commercial quantities of its Generic TriCor, including its ability to fill projected market demand.
3. The impact of Abbott and Fournier's actions at issue in this litigation on Impax's development, regulatory approval, manufacturing, marketing and sales of its Generic TriCor.
4. Impax's decision not to market its Generic TriCor.
5. The details and timing regarding any information provided by Impax to Abbott and/or Fournier relating to the Impax ANDAs and/or Impax Generic TriCor products.
6. The details and timing regarding any provision of Impax Generic TriCor products to Abbott and/or Fournier for any purpose, including for purposes of allowing Abbott and/or Fournier to examine or test said Generic TriCor products.
7. Any communications between Impax and Abbott/Fournier relating to the provisions of information and/or samples by Impax regarding Impax ANDA's Nos. 75-868 or 76-509.
8. Impax's decision regarding submission of an ANDA for a generic version of the TriCor tablet product approved pursuant to NDA No. 21-656.

9. Process (es), method(s), strategies, and/or procedures that Impax proposed or considered for setting or establishing the prices (whether direct or contract, and including rebates, discounts, and/or chargebacks) for Generic TriCor.

10. Forecasted effects of the market entry and/or delayed market entry of any of your Generic TriCor products on the unit and dollar sales and market share of (a) any TriCor product or products; (b) any fenofibrate product, including your own; and (c) drugs prescribed for the same uses as TriCor and/or other fenofibrates.

CERTIFICATE OF SERVICE

I hereby certify that on September 25, 2006 I electronically filed the foregoing document using CM/ECF, which will send notification of such filing to all registered participants, including:

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